



**2015 SESSION**

**ADDITIONAL DOCUMENTS**

**Business Page**

**[Signed by Chairman]**

**Roll Call**

**Standing Committee Reports**

**Tabled Bills**

**Fiscal Reports**

**Rolls Call Votes**

**Proxy Forms**

**Visitor Registrations**

**\*Any other documents, which were submitted after the committee hearing has ended and/or was submitted late [within 48 hours], regarding information in the committee hearing.**

**\*Witness Statements that were not presented as exhibits.**

**Montana Historical Society Archives**

**225 N. Roberts**

**Helena MT 59620-1201**

**2015 Legislative**

**E-Document Specialist Susie Hamilton**

**BUSINESS REPORT**

**MONTANA HOUSE OF REPRESENTATIVES  
64th LEGISLATURE - REGULAR SESSION**

**HOUSE JUDICIARY COMMITTEE**

**Date:** Wednesday, February 11, 2015  
**Place:** Capitol

**Time:** 8:00 AM  
**Room:** 137

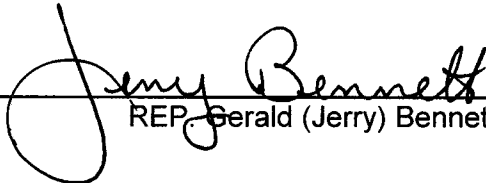
**BILLS and RESOLUTIONS HEARD:**

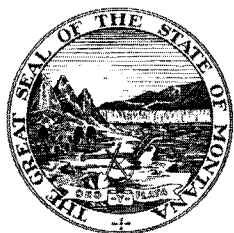
HB 298 - Generally revise concealed weapons laws - Rep. Bill Harris  
HB 320 - Revise laws regarding firearms on school grounds - Rep. Carl Glimm  
HB 371 - Generally revise concealed weapon laws - Rep. Kerry White

**EXECUTIVE ACTION TAKEN:**

HB 219 - Do pass as amended  
HB 255 - Tabled  
HB 272 - Do pass  
HB 309 - Tabled  
HB 315 - Do pass  
HB 365 - Tabled  
HJ 4 - Do pass

**Comments:**

  
\_\_\_\_\_  
REP. Gerald (Jerry) Bennett, Chair



*The Big Sky Country*

# MONTANA HOUSE OF REPRESENTATIVES

## JUDICIARY COMMITTEE

### ROLL CALL

| NAME                            | PRESENT | ABSENT/EXCUSED |
|---------------------------------|---------|----------------|
| REP. ALAN DOANE, VICE CHAIRMAN  | X       |                |
| REP. VIRGINIA COURT, VICE CHAIR | X       |                |
| REP. KATHY KELKER               | X       |                |
| REP. SETH BERGLEE               | X       |                |
| REP. RANDALL PINOCCI            | X       |                |
| REP. CLAYTON FISCUS             | X       |                |
| REP. JENNY ECK                  | X       |                |
| REP. ZAC PERRY                  | X       |                |
| REP. MATTHEW MONFORTON          | X       |                |
| REP. MARGIE MACDONALD           | X       |                |
| REP. ELLIE BOLDMAN HILL         | X       |                |
| REP. CAROLYN PEASE-LOPEZ        | X       |                |
| REP. SARAH LASZLOFFY            |         | X              |
| REP. THERESA MANZELLA           | X       |                |
| REP. NATE MCCONNELL             | X       |                |
| REP. STEPHANIE HESS             | X       |                |
| REP. G. BRUCE MEYERS            | X       |                |
| REP. KIRK WAGONER               | X       |                |
| REP. ANDREW PERSON              | X       |                |
| REP. KEITH REGIER               |         | X              |
| REP. JERRY BENNETT, CHAIRMAN    | X       |                |

21 MEMBERS



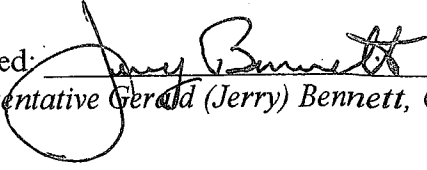
## HOUSE STANDING COMMITTEE REPORT

February 11, 2015

Page 1 of 1

Mr. Speaker:

We, your committee on Judiciary recommend that House Bill 219 (first reading copy -- white) do pass as amended.

Signed:   
Representative Gerald (Jerry) Bennett, Chair

And, that such amendments read:

1. Page 2, line 5.

Following: line 5

**Insert:** "(3) For high-risk sexual offenders who are no longer under the supervision of the department of corrections, the residential and geographic restrictions provided in subsections (1)(a) and (1)(e) do not apply if the high-risk sexual offender possesses an approved safety plan from a sexual offender evaluator to mitigate the risk of reoffending and protect public safety. The safety plan must be reevaluated annually by a sexual offender evaluator to ensure any conditions or requirements are adequate and protect public safety."

**Renumber:** subsequent subsections

- END -

Committee Vote:

Yes 14, No 7

Fiscal Note Required X

HB0219001SC.hbb

OK  
2/11/15  
3pm



## HOUSE STANDING COMMITTEE REPORT

February 11, 2015

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 315** (first reading copy -- white) **do pass**.

Signed:

*Jerry Bennett*  
Representative Gerald (Jerry) Bennett, Chair

- END -

Committee Vote:

Yes 12, No 9

Fiscal Note Required X

HB0315001SC.hbb

AL  
2/11/15  
12:50



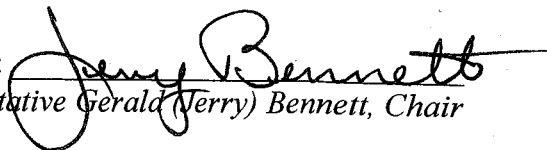
## HOUSE STANDING COMMITTEE REPORT

February 11, 2015

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Joint Resolution 4** (first reading copy -- white) **do pass**.

Signed:   
Representative Gerald (Jerry) Bennett, Chair

- END -

**Committee Vote:**

**Yes 12, No 9**

Fiscal Note Required ☐

HJ0004001SC.hbb

W  
2/11/15  
12:50



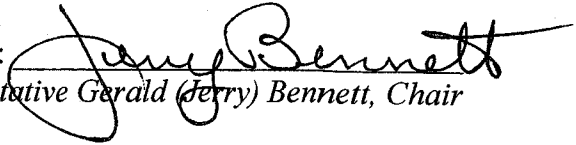
## HOUSE STANDING COMMITTEE REPORT

February 11, 2015

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 272** (first reading copy -- white) **do pass.**

Signed:   
Representative Gerald (Jerry) Bennett, Chair

- END -

**Committee Vote:**

**Yes 15, No 6**

Fiscal Note Required ☐

HB0272001SC.hbb

DL  
2/11/15  
12:50

## BILL TABLED NOTICE

### HOUSE JUDICIARY COMMITTEE

The HOUSE JUDICIARY COMMITTEE TABLED

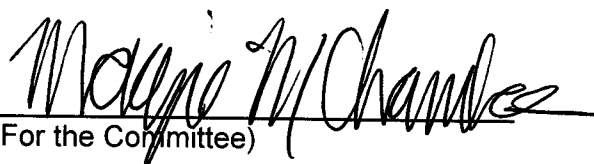
**HB 255 - Referendum regarding disqualification of judges receiving certain contributions**


**- Rep. Matthew Monforton**

**HB 309 - Create child abuse and neglect review commission - Rep. Kathy Kelker**

**HB 365 - Generally revise indecency laws - Rep. David (Doc) Moore**

by motion, on **Wednesday, February 11, 2015** (PLEASE USE THIS ACTION DATE IN LAWS BILL STATUS).

  
(For the Committee)

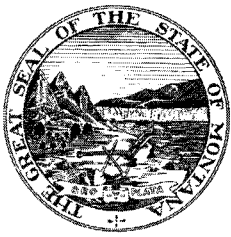
  
(For the Chief Clerk of the House)

3pm / 2/11/15  
(Time) (Date)

February 11, 2015 (2:47pm) McKenzie Chambers, Secretary

Phone: 444-4846





*The Big Sky Country*

# MONTANA HOUSE OF REPRESENTATIVES

## JUDICIARY COMMITTEE

### ROLL CALL VOTE

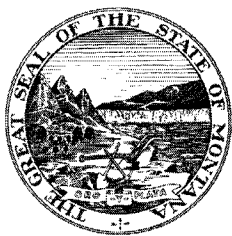
BILL NUMBER HJ 4

DATE 2/11/15

MOTION Do Pass

| NAME                            | AYE | NO | PROXY |
|---------------------------------|-----|----|-------|
| REP. ALAN DOANE, VICE CHAIRMAN  |     | X  |       |
| REP. VIRGINIA COURT, VICE CHAIR |     | X  |       |
| REP. KATHY KELKER               |     | X  |       |
| REP. SETH BERGLEE               | X   |    |       |
| REP. RANDALL PINOCCI            | X   |    |       |
| REP. CLAYTON FISCUS             | X   |    |       |
| REP. JENNY ECK                  |     | X  |       |
| REP. ZAC PERRY                  | X   |    |       |
| REP. MATTHEW MONFORTON          | X   |    |       |
| REP. MARGIE MACDONALD           |     | X  |       |
| REP. ELLIE BOLDMAN HILL         | X   |    |       |
| REP. CAROLYN PEASE-LOPEZ        |     | X  |       |
| REP. SARAH LASZLOFFY            | X   |    |       |
| REP. THERESA MANZELLA           |     | X  |       |
| REP. NATE MCCONNELL             |     | X  |       |
| REP. STEPHANIE HESS             | X   |    |       |
| REP. G. BRUCE MEYERS            | X   |    |       |
| REP. KIRK WAGONER               | X   |    |       |
| REP. ANDREW PERSON              | X   |    |       |
| REP. KEITH REGIER               | X   |    | X     |
| REP. JERRY BENNETT, CHAIRMAN    |     | X  |       |

21 MEMBERS



*The Big Sky Country*

# MONTANA HOUSE OF REPRESENTATIVES

## JUDICIARY COMMITTEE

### ROLL CALL VOTE

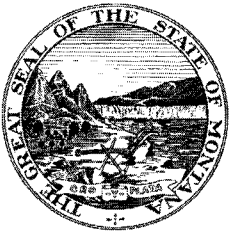
BILL NUMBER HB 255

DATE 2/11/15

MOTION Do Pass As Amended

| NAME                            | AYE | NO | PROXY |
|---------------------------------|-----|----|-------|
| REP. ALAN DOANE, VICE CHAIRMAN  | X   |    |       |
| REP. VIRGINIA COURT, VICE CHAIR |     | X  |       |
| REP. KATHY KELKER               |     | X  |       |
| REP. SETH BERGLEE               | X   |    |       |
| REP. RANDALL PINOCCI            |     | X  |       |
| REP. CLAYTON FISCUS             | X   |    |       |
| REP. JENNY ECK                  |     | X  |       |
| REP. ZAC PERRY                  |     | X  |       |
| REP. MATTHEW MONFORTON          | X   |    |       |
| REP. MARGIE MACDONALD           |     | X  |       |
| REP. ELLIE BOLDMAN HILL         |     | X  |       |
| REP. CAROLYN PEASE-LOPEZ        |     | X  | X     |
| REP. SARAH LASZLOFFY            | X   |    |       |
| REP. THERESA MANZELLA           | X   |    |       |
| REP. NATE MCCONNELL             |     | X  |       |
| REP. STEPHANIE HESS             |     | X  |       |
| REP. G. BRUCE MEYERS            | X   |    |       |
| REP. KIRK WAGONER               |     | X  |       |
| REP. ANDREW PERSON              |     | X  |       |
| REP. KEITH REGIER               | X   |    | X     |
| REP. JERRY BENNETT, CHAIRMAN    | X   |    |       |

21 MEMBERS



*The Big Sky Country*

# MONTANA HOUSE OF REPRESENTATIVES

## JUDICIARY COMMITTEE

### ROLL CALL VOTE

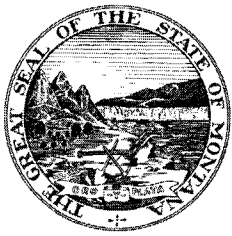
BILL NUMBER HB 272

DATE 2/11/15

MOTION DO PASS

| NAME                            | AYE | NO           | PROXY |
|---------------------------------|-----|--------------|-------|
| REP. ALAN DOANE, VICE CHAIRMAN  |     | X            |       |
| REP. VIRGINIA COURT, VICE CHAIR | X   | <del>X</del> |       |
| REP. KATHY KELKER               | X   |              |       |
| REP. SETH BERGLEE               | X   |              |       |
| REP. RANDALL PINOCCI            |     | X            |       |
| REP. CLAYTON FISCUS             |     | X            |       |
| REP. JENNY ECK                  | X   |              |       |
| REP. ZAC PERRY                  | X   |              |       |
| REP. MATTHEW MONFORTON          | X   |              |       |
| REP. MARGIE MACDONALD           | X   |              |       |
| REP. ELLIE BOLDMAN HILL         | X   |              |       |
| REP. CAROLYN PEASE-LOPEZ        | X   |              |       |
| REP. SARAH LASZLOFFY            |     | X            |       |
| REP. THERESA MANZELLA           | X   |              |       |
| REP. NATE MCCONNELL             | X   |              |       |
| REP. STEPHANIE HESS             | X   |              |       |
| REP. G. BRUCE MEYERS            | X   |              |       |
| REP. KIRK WAGONER               | X   |              |       |
| REP. ANDREW PERSON              | X   |              |       |
| REP. KEITH REGIER               |     | X            | X     |
| REP. JERRY BENNETT, CHAIRMAN    |     | X            |       |

21 MEMBERS



*The Big Sky Country*

# MONTANA HOUSE OF REPRESENTATIVES

## JUDICIARY COMMITTEE

### ROLL CALL VOTE

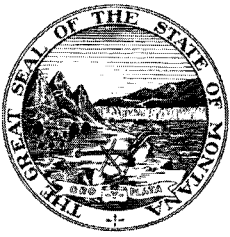
BILL NUMBER HB 309

DATE 2/11/15

MOTION Be Amended

| NAME                            | AYE                                 | NO                                  | PROXY                               |
|---------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| REP. ALAN DOANE, VICE CHAIRMAN  |                                     | <input checked="" type="checkbox"/> |                                     |
| REP. VIRGINIA COURT, VICE CHAIR | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. KATHY KELKER               | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. SETH BERGLEE               | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. RANDALL PINOCCI            | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. CLAYTON FISCUS             | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. JENNY ECK                  | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. ZAC PERRY                  | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. MATTHEW MONFORTON          | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. MARGIE MACDONALD           | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. ELLIE BOLDMAN HILL         | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. CAROLYN PEASE-LOPEZ        | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. SARAH LASZLOFFY            | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. THERESA MANZELLA           | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. NATE MCCONNELL             | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. STEPHANIE HESS             | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. G. BRUCE MEYERS            | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. KIRK WAGONER               | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. ANDREW PERSON              | <input checked="" type="checkbox"/> |                                     |                                     |
| REP. KEITH REGIER               |                                     | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| REP. JERRY BENNETT, CHAIRMAN    | <input checked="" type="checkbox"/> |                                     |                                     |

21 MEMBERS



*The Big Sky Country*

# MONTANA HOUSE OF REPRESENTATIVES

## JUDICIARY COMMITTEE

### ROLL CALL VOTE

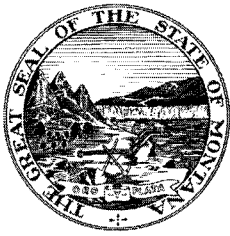
BILL NUMBER HB 309

DATE 2/11/15

MOTION Do Pass As Amended

| NAME                            | AYE | NO | PROXY |
|---------------------------------|-----|----|-------|
| REP. ALAN DOANE, VICE CHAIRMAN  |     | X  |       |
| REP. VIRGINIA COURT, VICE CHAIR | X   |    |       |
| REP. KATHY KELKER               | X   |    |       |
| REP. SETH BERGLEE               |     | X  |       |
| REP. RANDALL PINOCCI            |     | X  |       |
| REP. CLAYTON FISCUS             |     | X  |       |
| REP. JENNY ECK                  | X   |    |       |
| REP. ZAC PERRY                  | X   |    |       |
| REP. MATTHEW MONFORTON          |     | X  |       |
| REP. MARGIE MACDONALD           | X   |    |       |
| REP. ELLIE BOLDMAN HILL         | X   |    |       |
| REP. CAROLYN PEASE-LOPEZ        | X   |    |       |
| REP. SARAH LASZLOFFY            |     | X  |       |
| REP. THERESA MANZELLA           |     | X  |       |
| REP. NATE MCCONNELL             | X   |    |       |
| REP. STEPHANIE HESS             | X   |    |       |
| REP. G. BRUCE MEYERS            |     | X  |       |
| REP. KIRK WAGONER               |     | X  |       |
| REP. ANDREW PERSON              | X   |    |       |
| REP. KEITH REGIER               |     | X  | X     |
| REP. JERRY BENNETT, CHAIRMAN    |     | X  |       |

21 MEMBERS



*The Big Sky Country*

# MONTANA HOUSE OF REPRESENTATIVES

## JUDICIARY COMMITTEE

### ROLL CALL VOTE

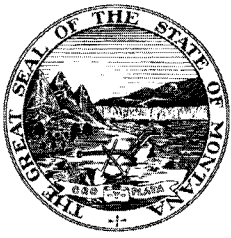
BILL NUMBER HB 255

DATE 2/11/15

MOTION Be Amended

| NAME                            | AYE | NO | PROXY |
|---------------------------------|-----|----|-------|
| REP. ALAN DOANE, VICE CHAIRMAN  | X   |    |       |
| REP. VIRGINIA COURT, VICE CHAIR |     | ✓  |       |
| REP. KATHY KELKER               | X   |    |       |
| REP. SETH BERGLEE               | ✓   |    |       |
| REP. RANDALL PINOCCI            |     | X  |       |
| REP. CLAYTON FISCUS             | X   |    |       |
| REP. JENNY ECK                  |     | X  |       |
| REP. ZAC PERRY                  | ✓   |    |       |
| REP. MATTHEW MONFORTON          | X   |    |       |
| REP. MARGIE MACDONALD           |     | X  |       |
| REP. ELLIE BOLDMAN HILL         |     | X  |       |
| REP. CAROLYN PEASE-LOPEZ        |     | ✓  | X     |
| REP. SARAH LASZLOFFY            | ✓   |    |       |
| REP. THERESA MANZELLA           | ✓   |    |       |
| REP. NATE MCCONNELL             |     | X  |       |
| REP. STEPHANIE HESS             | X   |    |       |
| REP. G. BRUCE MEYERS            | X   |    |       |
| REP. KIRK WAGONER               | ✓   |    |       |
| REP. ANDREW PERSON              |     | X  |       |
| REP. KEITH REGIER               | X   |    | X     |
| REP. JERRY BENNETT, CHAIRMAN    | X   |    |       |

21 MEMBERS



*The Big Sky Country*

# MONTANA HOUSE OF REPRESENTATIVES

## JUDICIARY COMMITTEE

### ROLL CALL VOTE

BILL NUMBER HB 219

DATE 2/11/15

MOTION DO Pass As Amended

| NAME                            | AYE | NO | PROXY |
|---------------------------------|-----|----|-------|
| REP. ALAN DOANE, VICE CHAIRMAN  | X   |    |       |
| REP. VIRGINIA COURT, VICE CHAIR |     | X  |       |
| REP. KATHY KELKER               |     | X  |       |
| REP. SETH BERGLEE               | X   |    |       |
| REP. RANDALL PINOCCI            | X   |    |       |
| REP. CLAYTON FISCUS             | X   |    |       |
| REP. JENNY ECK                  | X   |    |       |
| REP. ZAC PERRY                  | X   |    |       |
| REP. MATTHEW MONFORTON          | X   |    |       |
| REP. MARGIE MACDONALD           |     | X  |       |
| REP. ELLIE BOLDMAN HILL         |     | X  |       |
| REP. CAROLYN PEASE-LOPEZ        |     | X  | X     |
| REP. SARAH LASZLOFFY            | X   |    |       |
| REP. THERESA MANZELLA           | X   |    |       |
| REP. NATE MCCONNELL             | X   |    |       |
| REP. STEPHANIE HESS             | X   |    |       |
| REP. G. BRUCE MEYERS            | X   |    |       |
| REP. KIRK WAGONER               | X   |    |       |
| REP. ANDREW PERSON              |     | X  |       |
| REP. KEITH REGIER               | X   |    | X     |
| REP. JERRY BENNETT, CHAIRMAN    |     | X  |       |

21 MEMBERS



*The Big Sky Country*

# MONTANA HOUSE OF REPRESENTATIVES

## JUDICIARY COMMITTEE

### ROLL CALL VOTE

BILL NUMBER HB 219

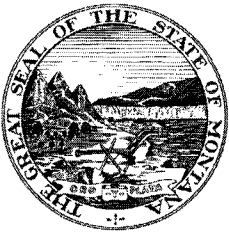
DATE 2/11/15

MOTION Be Amended

| NAME                            | AYE | NO | PROXY |
|---------------------------------|-----|----|-------|
| REP. ALAN DOANE, VICE CHAIRMAN  | X   |    |       |
| REP. VIRGINIA COURT, VICE CHAIR |     | X  |       |
| REP. KATHY KELKER               |     | X  |       |
| REP. SETH BERGLEE               | X   |    |       |
| REP. RANDALL PINOCCI            | X   |    |       |
| REP. CLAYTON FISCUS             | X   |    |       |
| REP. JENNY ECK                  | X   |    |       |
| REP. ZAC PERRY                  | X   |    |       |
| REP. MATTHEW MONFORTON          | X   |    |       |
| REP. MARGIE MACDONALD           |     | X  |       |
| REP. ELLIE BOLDMAN HILL         | X   |    |       |
| REP. CAROLYN PEASE-LOPEZ        |     | X  | X     |
| REP. SARAH LASZLOFFY            | X   |    |       |
| REP. THERESA MANZELLA           | X   |    |       |
| REP. NATE MCCONNELL             | X   |    |       |
| REP. STEPHANIE HESS             | X   |    |       |
| REP. G. BRUCE MEYERS            | X   |    |       |
| REP. KIRK WAGONER               | X   |    |       |
| REP. ANDREW PERSON              |     | X  |       |
| REP. KEITH REGIER               | X   |    | X     |
| REP. JERRY BENNETT, CHAIRMAN    | X   |    |       |

21 MEMBERS





*The Big Sky Country*

# MONTANA HOUSE OF REPRESENTATIVES

## JUDICIARY COMMITTEE

### ROLL CALL VOTE

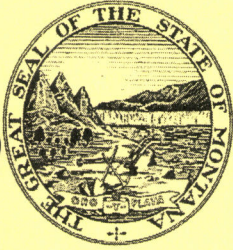
BILL NUMBER HB 315

DATE 2/11/15

MOTION Do Pass

| NAME                            | AYE | NO | PROXY |
|---------------------------------|-----|----|-------|
| REP. ALAN DOANE, VICE CHAIRMAN  | X   |    |       |
| REP. VIRGINIA COURT, VICE CHAIR |     | X  |       |
| REP. KATHY KELKER               |     | X  |       |
| REP. SETH BERGLEE               | X   |    |       |
| REP. RANDALL PINOCCI            | X   |    |       |
| REP. CLAYTON FISCUS             | X   |    |       |
| REP. JENNY ECK                  |     | X  |       |
| REP. ZAC PERRY                  |     | X  |       |
| REP. MATTHEW MONFORTON          | X   |    |       |
| REP. MARGIE MACDONALD           |     | X  |       |
| REP. ELLIE BOLDMAN HILL         |     | X  |       |
| REP. CAROLYN PEASE-LOPEZ        |     | X  |       |
| REP. SARAH LASZLOFFY            | X   |    |       |
| REP. THERESA MANZELLA           | X   |    |       |
| REP. NATE MCCONNELL             |     | X  |       |
| REP. STEPHANIE HESS             | X   |    |       |
| REP. G. BRUCE MEYERS            | X   |    |       |
| REP. KIRK WAGONER               | X   |    |       |
| REP. ANDREW PERSON              |     | X  |       |
| REP. KEITH REGIER               | X   |    | X     |
| REP. JERRY BENNETT, CHAIRMAN    | X   |    |       |

21 MEMBERS



The Big Sky Country

## MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED  
COMMITTEE PROXY

I request to be excused from the Judiciary  
Committee because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

| BILL/AMENDMENT    | AYE | NO | BILL/AMENDMENT | AYE | NO |
|-------------------|-----|----|----------------|-----|----|
| HB 219            |     | X  |                |     |    |
| Amendment 219     |     | X  |                |     |    |
| HB 255            |     | X  |                |     |    |
| Amendment HB 255  |     | X  |                |     |    |
| <del>HB 255</del> |     |    |                |     |    |
| Table HB 255      | X   |    |                |     |    |
|                   |     |    |                |     |    |
|                   |     |    |                |     |    |
|                   |     |    |                |     |    |
|                   |     |    |                |     |    |
|                   |     |    |                |     |    |
|                   |     |    |                |     |    |
|                   |     |    |                |     |    |
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|                   |     |    |                |     |    |
|                   |     |    |                |     |    |
|                   |     |    |                |     |    |

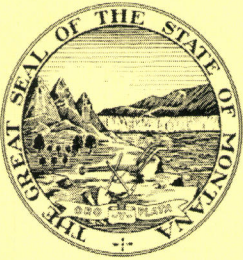
Rep. Carolyn Pease-Lopez  
(Signature)

Date 2-11-15









*The Big Sky Country*

# MONTANA HOUSE OF REPRESENTATIVES

## AUTHORIZED COMMITTEE PROXY

I request to be excused from the House Judiciary

Committee because of other commitments. I desire to leave my proxy vote with:

Alan Doane

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

| BILL/AMENDMENT | AYE | NO | BILL/AMENDMENT | AYE | NO |
|----------------|-----|----|----------------|-----|----|
| HB 219         | ✓   |    |                |     |    |
| HB 0219 01.41H | ✓   |    |                |     |    |
| HB 255         | ✓   |    |                |     |    |
| HB 025502.ate  | ✓   |    |                |     |    |
| table HB 255   | ✓   |    |                |     |    |
| HB 272         |     | ✓  |                |     |    |
| HB 309         |     | ✓  |                |     |    |
| HB 030901.4H   |     | ✓  |                |     |    |
| HB 315         | ✓   |    |                |     |    |
| WJ 4           | ✓   |    |                |     |    |
| HB 365 table   | ✓   |    |                |     |    |
|                |     |    |                |     |    |
|                |     |    |                |     |    |
|                |     |    |                |     |    |
|                |     |    |                |     |    |

Rep. Kith Regier  
(Signature)

Date 2-11-15





**MONTANA House of Representatives**  
**Visitors Register**  
**HOUSE JUDICIARY COMMITTEE**

**Wednesday, February 11, 2015**

**HB 371 - Generally revise concealed weapon laws**

**Sponsor: Rep. Kerry White**

**PLEASE PRINT**

| Name               | Representing   | Support | Oppose | Info |
|--------------------|--|---------|--------|------|
| GARY MARBUT        | MSSA   | ✓       |        |      |
| DOUG NALLE         | SELF   | ✓       |        |      |
| Jim Smith          | MSPDA  |         | ✓      |      |
| Donya Parrish      | MT Credit  |         | ✓      |      |
| MARK MURPHY        | MACOP MPPA   |         | ✓      |      |
| Nancy de Pastino   | Moms Demand Action                                   |         | ✓      |      |
| Pamela Owen        | Moms Demand Action                                   |         | ✓      |      |
| John McDanel       | Moms Demand Action                                   |         | ✓      |      |
| Nell McDanel       | Moms Demand Action                                   |         | ✓      |      |
| TC WEINGARTER      | MEA - MFT  |         | ✓      |      |
| Carett Bacon       | Self   | X       |        |      |
| Rudolf Tankink     | Self   | X       |        |      |
| Judy Tankink       | Self   | X       |        |      |
| Tim Peterson       | Self   |         | X      |      |
| Brad Griffin       | MT Restaurant Assoc                                  |         | ✓      |      |
| Amee Gernuscz      | MT <sup>B. Illing</sup> <sup>Chm</sup> Bankers Assoc |         | X      |      |
| David L. Nielsen   | MT League of Cities                                  |         | X      |      |
| K. Abbott          | MHRN   |         | X      |      |
| Robin Turner       | MCADSV   |         | X      |      |
| William E. Clawson | MOMS DEMAND ACTION                                   |         | ✓      |      |
| ALAN WRIGHT        | Self   |         | X      |      |
| John McDanel       | City of Missoula                                     |         | X      |      |
| LANE HELTON        | MTSBA  |         | X      |      |

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

1900

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X

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**MONTANA House of Representatives**  
**Visitors Register**  
**HOUSE JUDICIARY COMMITTEE**

**Wednesday, February 11, 2015**

**HB 298 - Generally revise concealed weapons laws**

**Sponsor: Rep. Bill Harris**

**PLEASE PRINT**

| Name                     | Representing        | Support | Oppose | Info |
|--------------------------|---------------------|---------|--------|------|
| GARY MARBUT              | MSSA                | ✓       |        |      |
| DAUG NULLE               | SELF                | ✓       |        |      |
| Jim Smith                | MSPDA               |         | ✓      |      |
| John McDaniel            | M.A.G.V.            |         | ✓      |      |
| <del>John McDaniel</del> |                     |         |        |      |
| <del>John McDaniel</del> |                     |         |        |      |
| Nell McDaniel            | M.A.G.V.            |         | ✓      |      |
| Nancy de Pastino         | Moms Demand Action  |         | ✓      |      |
| Bonela Owen              | Moms Demand Action  |         | ✓      |      |
| Jerry Williams           | MPPA                |         | ✓      |      |
| Garrett Bacon            | Self                | X       |        |      |
| Rudolf Tankink           | SELF                | X       |        |      |
| Judy Tankink             | SELF                | X       |        |      |
| Tim Ravndal              | Self                | X       |        |      |
| Frank Gawe               | SELF                | X       |        |      |
| Jamie McLoughlin         | Moms Demand Action  |         | ✓      |      |
| David L. Nielsen         | MT League of Cities |         | X      |      |
| William E. Clawson II    | MOMS DEMAND ACTION  |         | ✓      |      |
| Kim Abbott               | MHRN                |         | X      |      |
| Robin Turner             | MCADSV              |         | ✓      |      |
| ALAN WRIGHT              | self-               | X       |        |      |
|                          |                     |         |        |      |

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.



**MONTANA House of Representatives**  
**Visitors Register**  
**HOUSE JUDICIARY COMMITTEE**

**Wednesday, February 11, 2015**

**HB 320 - Revise laws regarding firearms on school grounds**

**Sponsor: Rep. Carl Glimm**

**PLEASE PRINT**

| Name               | Representing            | Support | Oppose | Info |
|--------------------|-------------------------|---------|--------|------|
| GARY MARBUT        | MSSA                    | ✓       |        |      |
| DOUG NULLE         | SELF                    | ✓       |        |      |
| Steve York         | OPI                     |         | X      |      |
| John McDaniel      | M. A. G. V.             |         | ✓      |      |
| Nell McDaniel      | M. A. G. V.             |         | ✓      |      |
| Nancy de Pastino   | Moms Demand Action      |         | ✓      |      |
| Pamela Owen        | Moms Demand Action      |         | ✓      |      |
| Garrett Bacon      | Self                    | X       |        |      |
| JC WEINGARTNER     | WGA-WFT                 |         | ✓      |      |
| Judy Tankink       | Self                    | X       |        |      |
| Rudolf Tankink     | Self                    | X       |        |      |
| Jim Rounau         | Self                    | X       |        |      |
| Jim Smith          | W Rural Education Assoc |         | X      |      |
| William R. Clawson | Moms Demand Action      |         | ✓      |      |
| AIA WRIGHT         | SELF                    | X       |        |      |
| Lyle Mitchell      | SD #6                   |         | X      |      |
| Kirk Miller        | SAM                     |         | X      |      |
| LAUCE NELTON       | MTSBA                   |         | X      |      |
| Susie Hamilton     | My Self                 |         | X      |      |
|                    |                         |         |        |      |
|                    |                         |         |        |      |
|                    |                         |         |        |      |

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

# ADDITIONAL DOCUMENTS

## SUMMARY OF HB 272 - ADOPTION OF UNIFORM COLLABORATIVE LAW ACT

Tal M. Goldin, Esq., Immediate Past-President, Western Montana Bar Association

Wells & McKittrick, P.C. p: (406) 728-7177 e: talgoldin@gmail.com

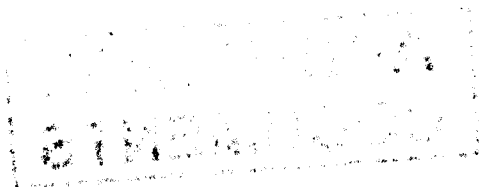
**What is collaborative law:** Collaborative Law is a straightforward, private, non-court process for resolving legal disputes. Each party is represented by an attorney. The process begins with an agreement signed by the participants to attempt to settle the matter without litigation or even the threat of litigation. The participants promise to take a reasoned stand on every issue, to share relevant information, and negotiate in good faith. The key to the process is: if either party starts a court case, both attorneys must withdraw from representation (with some exceptions). If that happens, the Collaborative Attorney helps his client transition to a new litigation attorney, but does not participate in the lawsuit. Participants also agree that the process is confidential; including any experts (such as accountants or mental health professionals) they mutually hire to help resolve the dispute.

### **Benefits of Collaborative Law:**

- Allows voluntarily agreement to resolve the case out of court, through a private contract.
- Focuses parties on mutual interests, problem solving and exploring all possible solutions for resolution, including solutions that may not be available in court.
- Reduces conflict, minimizing the psychological, financial and social impact on the parties and their children.
- Saves time and money by keeping the case out of court and reduces caseloads in the courts.
- Protects parties' individual liberty to make personal choices about the family without government intervention.
- Highly effective: Almost 90% of family law cases are fully resolved, including 2% of cases where the parties reconcile the marriage. Compare to 50-70% settlement rate in other dispute resolution approaches.

### **The Uniform Collaborative Law Act (UCLA):**

- Non-partisan law prepared over 3 year research and drafting period by Uniform Law Commission comprised of judges, lawyers, legislative personnel and academics from every state.
- Sets out minimum requirements for and protects the integrity of the process.
- Ensures process is voluntary. Prohibits anyone (including attorneys) from being forced to participate in the process.
- Ensures confidentiality is preserved and agreements are enforceable.
- Creates uniformity in the Collaborative Process amongst the states.
- Includes important protections for the process and the consumer.
- Ensures parties understand the risks, benefits and alternatives available.
- Ensures attorneys consider the appropriateness of the process for the particular case, including consideration of domestic violence issues.
- Requires attorneys and other professionals to comply with (and does not modify) their respective ethics requirements (e.g. Rules of Professional Conduct governing attorneys).
- Since 2009, the UCLA has been enacted in 11 jurisdictions: Alabama, District of Columbia, Hawaii, Maryland, Michigan, New Jersey, Nevada, Ohio, Texas, Utah, and Washington.



Kristin Little MS, MA, LMHC

600 N 36<sup>th</sup> Street #327

Seattle WA 98103

Phone: 206. 295.8673

E-Mail:

kristinlittlecounseling@gmail.com

**ADDITIONAL  
DOCUMENTS**

June 10, 2014

Honorable Committee Members:

As a former client of a Collaborative Divorce, I was moved last year to testify on behalf of Washington State's adoption of the Uniform Collaborative Law Act (UCLA). I am now writing in support of Montana's adoption of the UCLA.

When my divorce began five years ago, I felt angry, betrayed and, thinking about my 1-year-old son sleeping peacefully upstairs, terrified. Suffice to say I was not feeling particularly cooperative towards my now former husband and, despite being an experienced mental health professional, I was not acting, or intending to act entirely reasonable. I agreed to use Collaborative Law at my husband's suggestion, and though I was not in agreement with divorcing, I am ever grateful for his choice to pursue the dissolution with Collaborative support.

The Collaborative process and skilled professionals provided me the support I needed to move from my stance of anger and distrust to one of engagement and willingness to work together to reduce the conflict and create a future vision for our new family. If we had chosen a different route, I am certain I would have used the legal process as a weapon and my lawyer as a proxy to vent my rage and fear against my former husband. It took me a long time and a lot of support to understand my "rights" were not necessarily the best foundation to chart the future of my family.

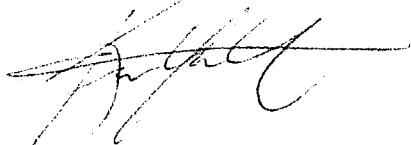
The Collaborative professionals skillfully guided me through this process. Through transparency they assured me that the process was fair and with concrete skills they helped me to protect my own well-being and that of my child. They allowed me to grieve the loss of my dreams for my one-home family and create a new path towards a healthy future that was different, yes, but a more realistic and positive one that my family can benefit from for years to come.

As a mental health professional who has spent 17 years working to help children cope with conflict in their families, I find that Collaborative Law actually works to prevent the damage to daily life and family relationships typical in divorce and afford children and families the chance to thrive even in difficult circumstances. After my divorce, I became a Collaborative Child Specialist for this reason and am passionate about helping families create a positive future focus and develop skills that strengthen family bonds during and after the changes their families' experience.

If it were not for Collaborative Law, my former husband and I would not have gained a settlement that met the unique needs of our family and, most importantly, would not have been able to enjoy the past holidays together in peace and with warmth and support for each others new circumstances. Celebrating together with my former husband, his partner and their new baby, my parents and extended family has become our new tradition. If not for Collaborative Law, it may have happened eventually, but it may have taken years, during which my child and my family would have suffered.

As an experienced Licensed Mental Health Counselor I was persuaded by the benefits to my family and, combined with my professional experience with children and families in crisis, decided to become a part of the Collaborative Law profession as a Child Specialist. I heartily believe that our work in Washington State provides a viable option for divorcing couples that wish to challenge themselves to work together instead of deepening conflict. I hope that you can support parents in maintaining the stability and bonds of their family in the face of difficult change, and I hope you will support the Collaborative professionals who serve them at a time of great need by enacting the UCLA in Montana.

Sincerely, Kristin Little, Mom, LMHC

A handwritten signature in cursive script, appearing to read 'Kristin Little', written in dark ink.

# Montana State Senate

EXHIBIT 2  
DATE 1/29/15  
HB 272



*The Big Sky Country*

## ADDITIONAL DOCUMENTS

COMMITTEES  
AGRICULTURE, LIVESTOCK & IRRIGATION  
JUDICIARY  
PUBLIC HEALTH, WELFARE & SAFETY

SENATOR NELS SWANDAL  
SENATE DISTRICT 30

HELENA ADDRESS:  
PO BOX 200500  
HELENA, MONTANA 59620-0500  
CAPITOL RM 327  
PHONE: (406) 444-4880

HOME ADDRESS:  
PO BOX 147  
WILSALL MT 59086  
PHONE: (406) 578-2319

January 27, 2015

Re: House Bill 272, the Uniform Collaborative Law Act (UCLA)

House Judiciary Committee  
State Capitol  
Helena, MT

Dear Chair Bennett and Members of the Committee:

I urge your favorable action on H.B. 272.

The Uniform Collaborative Law Act was promulgated by the Uniform Law Commission in 2009, and amended in 2010. It provides a necessary, comprehensive statute to address the growing practice of collaborative law, providing consistency in place of the existing patchwork of laws governing the practice. Collaborative law is a voluntary, client-driven form of alternative dispute resolution practiced in all 50 states. It has been widely used in family law cases, and is beginning to be used in other types of cases, such as insurance disputes or disputes between members of closely held businesses. Its increased use as a dispute resolution mechanism requires there be clear standards, and consistent treatment between the states. The UCLA standardizes the most important features of the collaborative law process, protecting consumers, preventing lawyers from engaging in unethical practices, and creating rules governing the disclosure of information and evidentiary privilege.

There are several reasons to support the Act:

- **Consistency** - The UCLA provides consistency from state to state regarding the enforceability of collaborative law agreements. This consistency is important for parties who may choose collaborative law as a process by which to resolve interstate disputes.
- **Minimum Requirements for Agreements** - The UCLA establishes minimum requirements for collaborative law participation agreements. They must include written agreements that state the parties' intention to resolve their dispute through the collaborative process, a description of the matter, and designate collaborative lawyers.
- **Process Beginning/End** - The UCLA gives specific instruction on when and how the collaborative law process begins and concludes.

1944  
1945

- **Clear Disqualification Requirement** - The UCLA codifies the disqualification requirement for collaborative lawyers if the collaborative process concludes. The disqualification requirement is a fundamental characteristic of the collaborative process.
- **Modified Disqualification Rules** - The UCLA modifies the disqualification rule for lawyers representing low income clients or government parties. Specifically, the Act allows legal aid offices, firms providing pro bono services, and law school clinics to continue to represent low income clients even if the collaborative process fails. By modifying the disqualification rule, the Act assures that low income and government parties have access to this form of dispute resolution without detrimentally affecting their future ability to obtain legal services.
- **Screening Requirements** - The UCLA directs lawyers to advise clients about alternatives for dispute resolution (such as litigation, arbitration, and mediation), mandates that the lawyers screen for instances of domestic violence or other coercive behavior, and orders the lawyer to assess with the prospective client whether a collaborative law process is appropriate for the case.
- **Privileged Communications** - The UCLA creates a privilege for communications that occur during the collaborative law process that would otherwise not be available, or would vary when a dispute crosses state lines.

Thank you for your consideration.

Sincerely,



Sen. Nels Swandal  
Senate District 30

NS/sh



**ADDITIONAL  
DOCUMENTS**

Amendments to House Bill No. 255  
1st Reading Copy

Requested by Representative Matthew Monforton

For the House Judiciary Committee

Prepared by Todd Everts  
February 5, 2015 (12:10pm)

1. Title, page 1, line 6 through line 8.  
**Strike:** "REQUIRING" on line 6 through "CIRCUMSTANCES;" on line 8
2. Title, page 1, line 10.  
**Following:** "DATE"  
**Insert:** "AND AN APPLICABILITY DATE"
3. Page 1, line 15 through line 16.  
**Strike:** ", district" on line 15 through "city court judge" on line 16
4. Page 1, line 18.  
**Following:** "from"  
**Strike:** "a"  
**Insert:** "another"
5. Page 1, line 19.  
**Following:** "from"  
**Strike:** "a"  
**Insert:** "another"
6. Page 1, line 20.  
**Strike:** "from the party or the party's attorney"
7. Page 1, line 22 through line 26.  
**Strike:** subsections (3) and (4) in their entirety
8. Page 2, line 2.  
**Insert:** "NEW SECTION. **Section 4. {standard} Applicability.**  
[This act] applies to contributions received after [the effective date of this act]. "

- END -